

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:10CV7-1-MU

PATRICK RICARDO SMITH,)
)
Plaintiff,)
)
v.) **ORDER**
)
DOUG WALKER, et al.,)
)
Defendants.)
)

THIS MATTER comes before the Court upon Plaintiff's Motion for Medical Records (Doc. No. 7), filed February 24, 2010.

On January 28, 2010, Plaintiff filed a Complaint pursuant to 42 U.S.C. § 1983. (Doc. No. 1.) On February 25, 2010, Defendants filed a Motion for Extension of Time to File an Answer (Doc. No. 8). This Court granted such Motion and Defendants' responses are now due April 5, 2010. (Doc. No. 10.) Because Defendants have not yet filed a response to the Complaint, Plaintiff's request for medical records is premature.

IT IS THEREFORE ORDERED THAT Plaintiff's Motion for Medical Records (Doc. No. 7) is **DENIED** as premature.

Signed: March 9, 2010



Graham C. Mullen
United States District Judge

